

Express Mail Label No.: EV 475 94 US  
Date of Deposit: March 10, 2005

Attorney Docket No.: 20712-503 NATL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: HANGAUER, *et al.*  
APPLICATION NO.: 10/501,855  
FILING DATE: July 16, 2004  
INTERNATIONAL APPLICATION NO.: PCT/US2003/001845 EXAMINER: Not yet assigned  
INTERNATIONAL FILING DATE: January 21, 2003 ART UNIT: Not yet assigned  
FOR: TREATMENT OF SLEEP DISORDERS USING SLEEP TARGET MODULATORS

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate; and
3. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 20712-503. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529  
Heidi A. Erlacher, Reg. No. 45,409  
Attorney(s) for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
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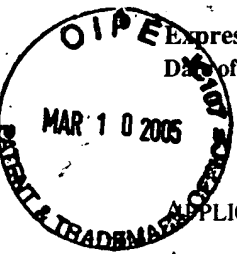
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Dated: March 10, 2005

3-11-03 DTOS Rec'd PCT/PTO 10 MAR 2005 PCT



Express Mail Label No.: EV 1194 US  
Date of Deposit: March 10, 2005

Attorney Docket No.: 20712-503 NATL #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: HANGAUER *et al.*  
APPLICATION No.: 10/501,855  
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FOR: TREATMENT OF SLEEP DISORDERS USING SLEEP TARGET MODULATORS

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required. Copies of the references are not provided as they were previously cited or submitted to the USPTO in prior applications, Serial No. 10/349,164, filed January 21, 2003 and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the

APPLICANTS:  
U.S.S.N.:

Hangauer  
10/501,855

information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 20712-503 NATL.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529  
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Dated: March 10, 2005

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Page 1 of 1  
Attorney Docket No.: 20712-503 NATL

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<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number		10/501,855	
				Filing Date		July 16, 2004	
				First Named Inventor		Hangauer	
				Group Art Unit		Not Yet Assigned	
				Examiner Name		Not Yet Assigned	
				Attorney Docket Number		20712-503 NATL	
<b>U.S. PATENT DOCUMENTS</b>							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A1	5,116,852	05/26/92	Gammans	514	359	
<b>U.S. PUBLISHED APPLICATION DOCUMENTS</b>							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
<b>FOREIGN PATENT DOCUMENTS</b>							
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)		Date of Publication	Translation Yes No	
<b>OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS</b>							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	*C2	Giannangeli, et al., <i>J. Med. Chem.</i> , 42(3):336-345 (1999).					
	*C3	Le Bihan, et al., <i>J. Med. Chem.</i> , 42(9):1587-1603 (1999).					
	*C4	Lis, et al., <i>Synthetic Comm.</i> , 18(1):45-50 (1988).					
	*C5	Motherwell, et al., in <i>Contemporary Organic Synthesis</i> , The Royal Society of Chemistry, pgs. 219-241 (1994).					
	*C6	Phillips, et al., <i>J. Med. Chem.</i> , 35(4):743-750 (1992).					
	*C7	Simmons, et al., in <i>Organic Reactions</i> , John Wiley & Sons, Inc., 20:1-131 (1973).					
	*C8	Stoller, et al., <i>Tetrahedron Lett.</i> , 31(3):361-364 (1990).					
	*C9	Woodworth, et al., <i>Chem. Comm.</i> , 10:569-570 (1968).					
	*C10	International Search Report for PCT/US03/01845, mailing date: January 14, 2004.					

\* A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/349,164, filed January 21, 2003, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRA 2014847v1

**BEST AVAILABLE COPY**